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**VIA ECF**

Clerk of Court  
United States District Court  
District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
Newark, New Jersey 07101

*Re: Rodrigues v. New York Daily News, et al. (10 cv 03511)*

Dear Clerk:

I am a member of Davis Wright Tremaine, attorneys for the Defendants in the above-captioned matter. On September 15, 2010, Defendants electronically filed a motion to dismiss the complaint, Docket Entry No. 8. Rather than oppose that motion, Plaintiff has filed an Amended Complaint. Accordingly, Defendants respectfully request to withdraw their motion to dismiss the original Complaint.

Respectfully yours,

A handwritten signature in black ink that reads "Robert D. Balin" followed by a stylized "DNA".

Robert D. Balin